



Ali Frick &lt;africk@klflaw.com&gt;

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## M&C re depositions/Bellamy Protocol

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Ali Frick &lt;africk@klflaw.com&gt;

Wed, Jun 1, 2022 at 1:29 PM

To: "Robinson, Amy (LAW)" &lt;arobinso@law.nyc.gov&gt;

Cc: Payne Litigation Team <paynelitigationteam@nyclu.org>, Sow-Legal <Sow-Legal@blhny.com>, Sierra Team <sierrateam@moskovitzlaw.com>, AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>, "GrayLegalTeam@dwt.com" <GrayLegalTeam@dwt.com>, "GrayLegalTeam@dwt.com" <GrayLegalTeam@dwt.com>, Hernandez Team <hernandez@femmelaw.com>, "rolonlegalteam@aboushi.com" <rolonlegalteam@aboushi.com>, "rolonlegalteam@aboushi.com" <rolonlegalteam@aboushi.com>, Wood <wood@klflaw.com>, "Nelson, Genevieve (Law)" <gnelson@law.nyc.gov>, "Weng, Jenny (Law)" <jweng@law.nyc.gov>, "Hamill, Bridget (LAW)" <brhamill@law.nyc.gov>

Amy, your team did not appear at the meeting. Plaintiffs will make themselves available at 2pm on Tuesday. We will also seek further Court assistance.

M&C re Remaining Depositions

Tuesday, June 7 · 2:00 – 3:30pm

Google Meet joining info

Video call link: <https://meet.google.com/nao-gxic-gfr>

Or dial: (US) +1 443-499-6098 PIN: 475 420 412#

More phone numbers: <https://tel.meet/nao-gxic-gfr?pin=4617221001682>

Ali Frick

**Kaufman  
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*she/her***Please note our new address:**

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On Wed, Jun 1, 2022 at 12:54 PM Ali Frick <africk@klflaw.com> wrote:

Amy,

We sent a brief proposed agenda, not a detailed proposal for which we expected a full response. If you like, you can feel free to ignore the email and we can act as though we never sent it. Regardless, as I have now stated three times, we need to discuss the schedule at the very least.

We will be on the meeting in 6 minutes and expect to see you there. If not, we'll call the Court.

Ali

Ali Frick

**Kaufman  
Lieb  
Lebowitz &  
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attorneys at law

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On Wed, Jun 1, 2022 at 12:52 PM Robinson, Amy (LAW) <[arobinso@law.nyc.gov](mailto:arobinso@law.nyc.gov)> wrote:

Ali, what is unacceptable is sending us a long and very detailed list of your proposals just before a meet and confer. I did not even see the email until I got out of a meeting just before noon. You say that you have been waiting weeks for this meet and confer, yet you drop this on us at the last minute. You left us with no time to review this internally, and therefore, you left us with no choice but to reschedule.

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**From:** Ali Frick <[africk@klflaw.com](mailto:africk@klflaw.com)>**Sent:** Wednesday, June 1, 2022 12:42 PM**To:** Robinson, Amy (LAW) <[arobinso@law.nyc.gov](mailto:arobinso@law.nyc.gov)>**Cc:** Payne Litigation Team <[paynelitigationteam@nyclu.org](mailto:paynelitigationteam@nyclu.org)>; Sow-Legal <[Sow-Legal@blhny.com](mailto:Sow-Legal@blhny.com)>; Sierra Team <[sierrateam@moskovitzlaw.com](mailto:sierrateam@moskovitzlaw.com)>; AG-NYPDLitigation <[AG.NYPDLitigation@ag.ny.gov](mailto:AG.NYPDLitigation@ag.ny.gov)>; GrayLegalTeam@dwt.com <[GrayLegalTeam@dwt.com](mailto:GrayLegalTeam@dwt.com)> <[GrayLegalTeam@dwt.com](mailto:GrayLegalTeam@dwt.com)>; Hernandez Team <[hernandez@femmelaw.com](mailto:hernandez@femmelaw.com)>; rolonlegalteam@aboushi.com <[rolonlegalteam@aboushi.com](mailto:rolonlegalteam@aboushi.com)> <[rolonlegalteam@aboushi.com](mailto:rolonlegalteam@aboushi.com)>; Wood <[wood@klflaw.com](mailto:wood@klflaw.com)>; Nelson, Genevieve (Law) <[gnelson@law.nyc.gov](mailto:gnelson@law.nyc.gov)>; Weng, Jenny (Law) <[jweng@law.nyc.gov](mailto:jweng@law.nyc.gov)>; Hamill, Bridget (LAW) <[brhamill@law.nyc.gov](mailto:brhamill@law.nyc.gov)>**Subject:** Re: [EXTERNAL] Re: M&C re depositions/Bellamy Protocol

Amy, to be clear, we spent significant time scheduling this M&C and many lawyers kept the time open on the calendars. We also spent significant time drafting this email for you so you would have an understanding about the parameters of what we need to discuss. We understand not being able to take a position, but fully cancelling the M&C for almost a full week is completely unacceptable.

We will be on the Google Meet and waiting for the City to appear to discuss scheduling at a bare minimum. If you do not, we will have to consider taking this up with the Court.

Ali Frick

**Kaufman  
Lieb  
Lebowitz &  
Frick**

attorneys at law

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On Wed, Jun 1, 2022 at 12:27 PM Ali Frick <[africk@klflaw.com](mailto:africk@klflaw.com)> wrote:

Amy, I'm sorry but this is unacceptable. We need to discuss the deposition schedule in this case. Defendants have refused to meet with us for weeks, even after the Court ordered the parties to discuss. We prepared some thoughts in advance and sent them for the sole purpose of being helpful. If you want to not discuss that proposal and talk only about the schedule, fine. But we are not cancelling this meeting.

Ali Frick  
**Kaufman  
Lieb  
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Frick**  
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On Wed, Jun 1, 2022 at 12:25 PM Robinson, Amy (LAW) <[arobinso@law.nyc.gov](mailto:arobinso@law.nyc.gov)> wrote:

Ali,

I am sorry, but we have to confer internally on the request. Please let me know your availability for Tuesday.

Regards,

Amy

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**From:** Ali Frick <[africk@klflaw.com](mailto:africk@klflaw.com)>

**Sent:** Wednesday, June 1, 2022 12:01 PM

**To:** Robinson, Amy (LAW) <[arobinso@law.nyc.gov](mailto:arobinso@law.nyc.gov)>

**Cc:** Payne Litigation Team <[paynelitigationteam@nyclu.org](mailto:paynelitigationteam@nyclu.org)>; Sow-Legal <[Sow-Legal@blhny.com](mailto:Sow-Legal@blhny.com)>; Sierra Team <[sierrateam@moskovitzlaw.com](mailto:sierrateam@moskovitzlaw.com)>; AG-NYPDLitigation <[AG.NYPDLitigation@ag.ny.gov](mailto:AG.NYPDLitigation@ag.ny.gov)>; GrayLegalTeam@dwt.com <[GrayLegalTeam@dwt.com](mailto:GrayLegalTeam@dwt.com)> <[GrayLegalTeam@dwt.com](mailto:GrayLegalTeam@dwt.com)>; Hernandez Team

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 <gnelson@law.nyc.gov>; Weng, Jenny (Law) <jweng@law.nyc.gov>; Hamill, Bridget (LAW)  
 <brhamill@law.nyc.gov>

**Subject:** Re: [EXTERNAL] Re: M&C re depositions/Bellamy Protocol

Amy, we should still meet today. We need to discuss the deposition schedule. We can also discuss the proposal we sent, with the understanding that the City may not have a formal position on it yet. The whole point was just to help frame the discussion. But we've been trying to hold this meeting for weeks now. It should not be cancelled.

Ali Frick

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On Wed, Jun 1, 2022 at 11:57 AM Robinson, Amy (LAW) <[arobinso@law.nyc.gov](mailto:arobinso@law.nyc.gov)> wrote:

Ali,

This information is coming in to us too close in time to the meet and confer. We need to review and discuss internally. We have a several deadlines this week, so we are not available to meet and confer until next week. We are available Tuesday 1:00-2:00 or 4:00-5:00.

Regards,

Amy

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**From:** Ali Frick <[africk@klflaw.com](mailto:africk@klflaw.com)>

**Sent:** Wednesday, June 1, 2022 10:24 AM

**To:** Robinson, Amy (LAW) <[arobinso@law.nyc.gov](mailto:arobinso@law.nyc.gov)>

**Cc:** Payne Litigation Team <[paynelitigationteam@nyclu.org](mailto:paynelitigationteam@nyclu.org)>; Sow-Legal <[Sow-Legal@blhny.com](mailto:Sow-Legal@blhny.com)>; Sierra Team <[sierrateam@moskovitzlaw.com](mailto:sierrateam@moskovitzlaw.com)>; AG-NYPD Litigation <[AG.NYPDlitigation@ag.ny.gov](mailto:AG.NYPDlitigation@ag.ny.gov)>; GrayLegalTeam@dwt.com <[GrayLegalTeam@dwt.com](mailto:GrayLegalTeam@dwt.com)> <[GrayLegalTeam@dwt.com](mailto:GrayLegalTeam@dwt.com)>; Hernandez Team <[hernandez@femmelaw.com](mailto:hernandez@femmelaw.com)>; rolonlegalteam@aboushi.com <[rolonlegalteam@aboushi.com](mailto:rolonlegalteam@aboushi.com)> <[rolonlegalteam@aboushi.com](mailto:rolonlegalteam@aboushi.com)>; Wood <[wood@klflaw.com](mailto:wood@klflaw.com)>; Nelson, Genevieve (Law) <[gnelson@law.nyc.gov](mailto:gnelson@law.nyc.gov)>; Weng, Jenny (Law) <[jweng@law.nyc.gov](mailto:jweng@law.nyc.gov)>; Hamill, Bridget (LAW)

<brhamill@law.nyc.gov>

**Subject:** [EXTERNAL] Re: M&C re depositions/Bellamy Protocol

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Counselors,

There are two broad areas we will need to discuss during today's meet and confer on depositions: first, the exchange of information before depositions, and second, the deposition schedule. Plaintiffs wanted to send our proposal on that first topic now, in advance of the meeting, so that all parties could consider it beforehand.

**For high-level deponents (lieutenants and above)**

In addition to what is already required to be provided 2 business days prior to the deposition:

- (1) Immediately upon scheduling the deposition, the City will provide a list of all protests from Schedule A at which the deponent was present or substantially involved in the planning or response (including investigation). We ask that the deponent consult their calendar (and not just their memory) in identifying these protests.
- (2) No less than 1 week in advance of the deposition, the City will provide (i) the deponent's calendars from May 25-July 25, plus all calendar entries reflecting involvement in any protests outside of that time range; (ii) all text messages sent by or to the deponent's NYPD-issued phone from May 25-July 25, plus dates of any other protests the deponent attended or was substantially involved in the planning or response; and (iii) all IAB and CCRB documents in which the deponent was a subject or witness, including audio of any IAB/CCRB interviews of the deponent.
- (3) No less than 48 hours before the deposition, Plaintiffs will provide a non-exclusive list of topics and exhibits they intend to cover/use during the deposition, with the understanding that Plaintiffs reserve the right to cover additional topics and use additional exhibits.

**For lower-level deponents (generally, below lieutenant)**

The prior court order (requiring the production of documents two business days in advance) remains in place. If a Lieutenant has BWC footage of a protest, it should also be produced at that time.

We note that, by now, all of these documents should have been produced long ago. Also, given the addition of new consolidated cases, we'll be updating Schedule A and will send that to you shortly.

We look forward to discussing this and the deposition schedule later today.

Thanks,

Ali

Ali Frick  
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On Fri, May 27, 2022 at 5:44 PM Ali Frick <[africk@kllf.com](mailto:africk@kllf.com)> wrote:

Thanks Amy. We can meet on June 1 at 1-2 to discuss the deposition schedule and restarting higher-level depositions. I'll send a calendar invite; meeting info below.

In re Policing: M&C re High Level Deps

Wednesday, June 1 · 1:00 – 2:00pm

Google Meet joining info

Video call link: <https://meet.google.com/srb-qmxo-sqv>

Or dial: (US) +1 401-903-3754 PIN: 178 374 256#

More phone numbers: <https://tel.meet/srb-qmxo-sqv?pin=1663157973340>

Ali Frick

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On Fri, May 27, 2022 at 2:02 PM Robinson, Amy (LAW) <[arobinso@law.nyc.gov](mailto:arobinso@law.nyc.gov)> wrote:

Ali,

We are available June 1<sup>st</sup> 1:00-2:00 and on June 2<sup>nd</sup> 2:30-3:30. Please let me know if either date works.

Regards,

Amy

Amy Robinson

Senior Counsel  
Special Federal Litigation Division  
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